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Attorneys for Defendant Google LLC

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

CHASOM BROWN, et al., on behalf of
themselves and all others similarly situated,

Plaintiffs,

vs.

GOOGLE LLC,

Defendant.

Case No. 4:20-cv-03664-YGR-SVK

**DECLARATION OF TRACY GAO IN
SUPPORT OF ADMINISTRATIVE
MOTION TO SEAL PORTIONS OF
JOINT SUBMISSION PURSUANT TO
DKTS. 861 & 877**

Referral: Hon. Susan van Keulen, USMJ

PATRICK CALHOUN, et al., on behalf of
themselves and all others similarly situated,

Plaintiffs,

vs.

GOOGLE LLC,

Defendant.

Case No. 4:20-cv-05146-YGR-SVK

**DECLARATION OF TRACY GAO IN
SUPPORT OF ADMINISTRATIVE
MOTION TO SEAL PORTIONS OF
JOINT SUBMISSION PURSUANT TO
DKTS. 983 & 990**

Referral: Hon. Susan van Keulen, USMJ

I, Tracy Gao, declare as follows:

1. I am a member of the bar of the State of California and an attorney with Quinn Emanuel Urquhart & Sullivan, LLP, attorneys for Defendant Google LLC (“Google”) in this action. I make this declaration of my own personal, firsthand knowledge, and if called and sworn as a witness, I could and would testify competently thereto.

2. Pursuant to Civil Local Rule 79-5, I submit this declaration in support of Google LLC’s Administrative Motion to Seal portions of the Joint Submission Pursuant to *Brown* Dkts. 861 & 877 and *Calhoun* Dkts. 983 & 990. In making this request, Google has carefully considered the relevant legal standard and policy considerations outlined in Civil Local Rule 79-5. Google makes this request with the good faith belief that the information sought to be sealed consists of Google’s confidential and proprietary information and that public disclosure could cause competitive harm.

3. I have reviewed the document to be filed under seal pursuant to Civil Local Rule 79-5. Based on my review, there is good cause to seal the following information:

Document(s) to be Sealed	Basis for Sealing
Joint Submission Pursuant to <i>Brown</i> Dkts. 861 & 877 and <i>Calhoun</i> Dkts. 983 & 990 Pages 1:2-3, 1:16, 1:21-22, 2:1-2, 2:4, 2:12, 2:14-16, 2:18, 2:20, 2:22, 2:25, 3:1, 3:3-5, 3:9, 3:13, 3:18, 3:24-28, 4:2-4, 4:20, 4:25-27, 5:2, 5:4, 5:6, 5:8-9, 5:15, 5:20, 5:24-25, 5:27-28, 6:5, 6:12, 6:14, 7:8, 7:10, 7:12-13, 7:16, 7:18, 7:20, 7:24-28, 8:3, 8:7, 8:14, 8:18, 8:25, 8:27-28, 9:1, 9:3, 9:7-9, 9:16, 9:18-20, 10:2, 11:17-19, 11:25, 11:27, 12:3, 12:13-14, 12:20-21, 13:3, 14:7, 14:9, 14:19, 14:24-26, 15:4-6, 15:9-11, 15:18, 15:20, 15:22-23	The information requested to be sealed contains non-public, sensitive confidential business information related to Google’s internal technological systems that could affect Google’s competitive standing and may expose Google to increased security risks if publicly disclosed, including various types of Google’s internal projects, internal data sources, and their proprietary functionalities, which Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google’s competitors. Such confidential information reveals Google’s internal systems and operations. Public disclosure of such confidential information could affect Google’s competitive standing as competitors may alter their system designs and practices relating to competing products, time strategic litigation, or otherwise unfairly compete with Google.
Exhibit A – Feb. 6, 2023 <i>Calhoun</i> Letter to Google PDF Pages 2-4	The information requested to be sealed contains non-public, sensitive confidential business information related to Google’s internal technological systems that could affect Google’s competitive standing and may expose Google to increased security risks if publicly disclosed, including various types of Google’s internal projects and data sources, which Google maintains as confidential in the ordinary course of its business and is not generally known to the

	public or Google's competitors. Such confidential information reveals Google's internal systems. Public disclosure of such confidential information could affect Google's competitive standing as competitors may alter their system designs and practices relating to competing products, time strategic litigation, or otherwise unfairly compete with Google.
Exhibit B – Feb. 17, 2023 Google Letter to <i>Brown</i> and <i>Calhoun</i> Pages 1-7	The information requested to be sealed contains non-public, sensitive confidential business information related to Google's internal technological systems that could affect Google's competitive standing and may expose Google to increased security risks if publicly disclosed, including various types of Google's internal projects, internal data sources, and their proprietary functionalities, which Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential information reveals Google's internal systems and operations. Public disclosure of such confidential information could affect Google's competitive standing as competitors may alter their system designs and practices relating to competing products, time strategic litigation, or otherwise unfairly compete with Google.

4. Google's request is narrowly tailored in order to protect its confidential information. These redactions are limited in scope and volume. Because the proposed redactions are narrowly tailored and limited to portions containing Google's highly-confidential, or confidential information, Google requests that the portions of the aforementioned documents be redacted from any public version of those documents.

5. Google does not seek to redact or file under seal any of the remaining portions of documents not indicated in the table above.

6. For the reasons discussed in the Motion, Google respectfully requests that the Court order the identified portions of the Joint Submission to be sealed.

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct. Executed in Washington DC on March 3, 2023.

DATED: March 3, 2023

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

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By /s/ Tracy Gao

Xi (“Tracy”) Gao

Attorney for Defendant